

Message Text

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ACTION L-03

INFO OCT-01 ARA-10 ISO-00 OES-06 SSO-00 NSC-05 INR-07

DLOS-06 SAL-01 IO-13 ACDA-10 INT-05 DOTE-00 CG-00

CIAE-00 DODE-00 PM-04 H-02 NSAE-00 PA-02 PRS-01 SP-02

SS-15 USIA-15 COME-00 EPA-04 /112 W

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC PRIORITY 5971

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E.O. 11652: N/A

TAGS: PLOS EFIS MX

SUBJ: MEXICAN RESPONSE TO DIPLOMATIC NOTE RE: US "POSITION ON
MEXICAN 200 "ECONOMIC ZONE"

REF: A) STATE 112540 B) STATE 125360

1. ON JULY 1, EMBASSY RECEIVED GOM DIPLOMATIC NOTE #B30101
IN RESPONSE TO EMBASSY NOTE OF MAY 24, 1976, IN WHICH US
A) EXPRESSED CONCERN OVER CERTAIN ASPECTS OF THE MEXICAN
NEWLY DECLARED 200 MILE ECONOMIC ZONE (JURISDICTION OVER
ARTIFICIAL ISLANDS, POLLUTION CONTROL, SCIENTIFIC RESEARCH,
HIGHLY MIGRATORY SPECIES) AND B) REQUESTED MEETINGS WITH
THE GOM RE PROVISIONAL MARITIME BOUNDARIES.

2. FULL TEXT OF MEXICAN RESPONSE BEING POUCHED TO DEPARTMENT,
ATTN: OES AMB. RIDGWAY, IMMEDIATELY. FOLLOWING IS A SUMMARY
OF IMPORTANT POINTS:

A) THE GOM STATES THAT ITS "ECONOMIC ZONE" IS NOT
MEANT TO BE LIMITED TO ONLY FISHING MATTERS BUT IS TO EXTEND
ALSO TO CONSERVATION AND ADMINISTRATION OF ALL NATIONAL
RESOURCES IN THE ZONE. RESPONDING TO OUR ASSERTION THAT NO
BASIS FOR SUCH MEXICAN CLAIM EXISTS IN INTERNATIONAL
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LAW, THE GOM STATES THAT ITS CONCEPT OF THE ECONOMIC ZONE

IS THUS BASED ON TENDENCY "EVIDENTLY OF THE MAJORITY"
REFLECTED IN ARTICLES 45-61 (EXTENSION OF STATES'
JURISDICTION OVER ALL NATIONAL RESOURCES IN THE ZONE) OF
THE SINGLE NEGOTIATING TEXT " TO WHICH THE US NEVER
OBJECTED PER SE" AND WHICH THE US HAS "CONSECATED IN
ITS OWN NATIONAL LEGISLATION." (THE NOTE QUOTES
PRESIDENT FORD).

B. MAINTAINING A DISTINCTION BETWEEN ITS EXCLUSIVE
ECONOMIC ZONE AND HIGH SEAS, GOM STATES THAT ITS NON-
FISHING CLAIMS IN THE ECONOMIC ZONE REFLECT WITH THE LOS
CONFERENCES HAVE INDICATED WILL BE GENERALLY ACCEPTED IN
ANY FUTURE LOS AGREEMENTM

C. IN REGARD TO HIGHLY MIGRATORY SPECIES, THE GOM
RECOGNIZES THE NEED FOR AN INTERNATNIONAL AGREEMENT BY
STATES THAT SUCH AN AGREEMENT WOULD BE SUBJECT TO THE
COASTAL STATES' SOVEREIGN RIGHTS OVER SUCH SPECIES IN ITS
ZONE. THE GOM WILL NOT PERMIT UNLICENSED FOREIGN BOATS
TO FISH EITHER COASTAL OR HIGHLY MIGRATORY SPECIES IN ITS
TERRITORIAL SEA OR ECONOMIC ZONE; HOWEVER, SUCH LICENSING
WILL TAKE INTO ACCOUNT ANY FUTURE INTERNATIONAL AGREEMENT
ON HIGHLY MIGRATORY SPECIES.

D. GOM COMPLETELY DISAGREES WITH ANY INTERPRETATION
OF THEECONOMIC ZONE AS "HIGH SEAS" AND POINTS OUT THAT
THE US DID NOT PROPOSE SUCH AN INTERPRETATION UNTIL THE
4TH LOS CONFERENCE IN 1976, AN ACTION DESCRIBED BY THE
GOM AS "UNJUSTIFIED AND BELATED,Z AND WHICH WOULD
"DESTROY THE ESSENCE OF THE INSTITUTION OF THE ECONOMIC
ZONE."

E. IN REGARD TO US RESERVATION OF ITS RIGHTS BE-
YOND THREE MILES OF THE MEXICAN COAST, THE GOM "WILL
NOT EVEN ENTER INTO DEBATE" SINCE THE "USG NEVER
QUESTIONED MEXICO'S PREVIOUS EXTENSIONS OF TERRITORIAL
SEA INCLUDING THE EXTENSION TO 12 MILES IN 1969."

F. IN REGARD TO PROPOSED DISCUSSIONS ON PROVISIONAL
MARITIME BOUNDARIES, THE GOM THOUGHT AN UNDERSTANIDNG HAS
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BEEN REACHED LAST APRIL WHICH ONLY NEEDED TO PUT
INTO A FORMAL ACCORD AND "SEES NO REASON TO REOPEN THE
NEGOTIATIONS UNLES THE US WISHES TO REVISE ITS POSITION."
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